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6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**

8 UNITED STATES OF AMERICA,) 2:16-CR-216-KJD-(VCF)
9 Plaintiff,)
10 v.) Preliminary Order of Forfeiture
11 LONNY JOSEPH DITIRRO, JR.,)
12 Defendant.)

13 This Court finds that defendant Lonny Joseph Ditirro, Jr., was found guilty of Counts
14 One through Five of a Five-Count Superseding Criminal Indictment charging him in Counts One
15 through Four with Sexual Exploitation of Children in violation of Title 18, United States Code,
16 Section 2251(a) and in Count Five with Possession of Child Pornography in violation of Title 18,
17 United States Code, Section 2252A(a)(5)(B). Superseding Criminal Indictment, ECF No. 80;
18 Minutes of Jury Trial, ECF No. 121; Jury Verdict, ECF No. 123.

19 This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of
20 America has shown the requisite nexus between property set forth in the Bill of Particulars and
21 the Forfeiture Allegation of the Superseding Criminal Indictment and the offenses to which
22 defendant Lonny Joseph Ditirro, Jr., was found guilty. Superseding Criminal Indictment, ECF
23 No. 80; Bill of Particulars, ECF No. 86; Minutes of Jury Trial, ECF No. 121; Jury Verdict, ECF
24 No. 123.

25 The following property is (1) any visual depiction described in Title 18, United States
26 Code, Sections 2251 and 2252A, or any book, magazine, periodical, film, videotape, or other

1 matter which contains any such visual depiction, which was produced, transported, mailed,
2 shipped or received in violation of Title 18, United States Code, Sections 2251(a) and
3 2252A(a)(5)(B); (2) any property, real or personal, constituting or traceable to gross profits or
4 other proceeds obtained from violations of Title 18, United States Code, Sections 2251(a) and
5 2252A(a)(5)(B); and (3) any property, real or personal, used or intended to be used to commit or
6 to promote the commission of Title 18, United States Code, Sections 2251(a) and
7 2252A(a)(5)(B) or any property traceable to such property, and is subject to forfeiture pursuant
8 to Title 18, United States Code, Section 2253(a)(1), 2253(a)(2), and 2253(a)(3): SanDisk Micro
9 Secure Digital Card (16GB) Ultra Plus (property).

10 This Court finds that the United States of America may amend this order at any time to
11 add subsequently located property or substitute property to the forfeiture order pursuant to Fed.
12 R. Crim. P. 32.2(b)(2)(C) and 32.2(e).

13 This Court finds the United States of America is now entitled to, and should, reduce the
14 aforementioned property to the possession of the United States of America.

15 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that
16 the United States of America should seize the aforementioned property.

17 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all possessory rights,
18 ownership rights, and all rights, titles, and interests of Lonny Joseph Dittiro, Jr., in the
19 aforementioned property are forfeited and are vested in the United States of America and shall be
20 safely held by the United States of America until further order of the Court.

21 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of
22 America shall publish for at least thirty (30) consecutive days on the official internet government
23 forfeiture website, www.forfeiture.gov, notice of this Order, which shall describe the forfeited
24 property, state the time under the applicable statute when a petition contesting the forfeiture must
25 be filed, and state the name and contact information for the government attorney to be served

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1 with the petition, pursuant to Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code,
2 Section 853(n)(2).

3 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any individual or
4 entity who claims an interest in the aforementioned property must file a petition for a hearing to
5 adjudicate the validity of the petitioner's alleged interest in the property, which petition shall be
6 signed by the petitioner under penalty of perjury pursuant to Title 21, United States Code,
7 Section 853(n)(3) and Title 28, United States Code, Section 1746, and shall set forth the nature
8 and extent of the petitioner's right, title, or interest in the forfeited property and any additional
9 facts supporting the petitioner's petition and the relief sought.

10 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be
11 filed with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas, Nevada 89101, no
12 later than thirty (30) days after the notice is sent or, if direct notice was not sent, no later than
13 sixty (60) days after the first day of the publication on the official internet government forfeiture
14 site, www.forfeiture.gov.

15 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if
16 any, shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at
17 the following address at the time of filing:


18 Michael A. Humphreys
19 Assistant United States Attorney
20 Daniel D. Hollingsworth
21 Assistant United States Attorney
22 501 Las Vegas Boulevard South, Suite 1100
23 Las Vegas, Nevada 89101.

24 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described
25 herein need not be published in the event a Declaration of Forfeiture is issued by the appropriate
26 agency following publication of notice of seizure and intent to administratively forfeit the above-
described property.

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1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Clerk send copies
2 of this Order to all counsel of record.

3 DATED this 23rd day of October, 2018.

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UNITED STATES DISTRICT JUDGE